

REMARKS

I. INTRODUCTION

Claim 1 and the Abstract have been amended. Claim 36 has been canceled. Claims 23-35, 37 and 38 are withdrawn. Claims 1-5 and 13 remain pending in the present application. No new matter has been added. In view of the above amendments and the following remarks, it is respectfully submitted that all of the pending claims are allowable.

II. OBJECTION TO THE DRAWINGS

Figures 9-12 stand objected to as containing new matter. (See 10/7/08 Office Action, p. 2.) In a prior Amendment, the Applicants asserted that these figures do not contain new subject matter because the original Specification stated that “[t]hough the shaving aid retaining means described above and shown in FIGS. 4 and 5 do comprise a number of circular concentric ridges, it will be understood that any type of profile which prevents additive from flowing straight and unimpeded to the hair trapping apertures may be used. For example, a *star-shaped flower-shaped*, or *spiral-shaped pattern of ridges*, or a *pattern of dimples* as on a golf ball or similar surface patterns may be used.” (Specification p. 4, ll. 19-24) Responding to this argument, the Examiner asserts that “the original disclosure only includes a name or brief description of the patterns and does not fully disclose sufficient details of the patterns to only arrive at those very specific patterns submitted in the proposed drawings.” (10/7/08 Office Action, p. 8.) The Applicants respectfully submit that the original description of possible surface patterns in the Specification encompasses the patterns presented in Figs. 9-12. The Examiner’s own interpretation of Figs. 9-12 as “specific patterns” supports this interpretation, as the original description of “a spiral-shaped pattern of ridges,” for example, encompasses a broad variety of spiral-shaped patterns, including, but not limited to, the specific pattern illustrated in Fig. 9. Moreover, the originally submitted claim 4 also supports Fig. 9 by reciting “at least one spiral-

shaped ridge.” Thus, the pattern of Fig. 9 is not new matter because it is encompassed by the original disclosure. The same logic applies equally to Figs. 10-12. Accordingly, the Applicants respectfully submit that this objection should be withdrawn.

The drawings stand objected to under 37 C.F.R. § 1.83(a) as failing to show every feature of the claims. (See id., p. 3.) Specifically, the Examiner asserts that the drawings do not show “at least one spiral-shaped ridge,” “at least one star-shaped ridge,” and “at least one flower-shaped ridge,” as recited in claim 4, and “a pattern of dimples,” as recited in claim 5. (See id., p. 3.) The Applicants respectfully submit that Figures 9-12 are not new matter and illustrate at least one spiral shaped ridge (claim 4), the at least one star-shaped ridge (claim 4), the at least one flower-shaped ridge (claim 4), and a pattern of dimples (claim 5). Thus, the objection under 37 CFR § 1.83(a) should be withdrawn.

III. OBJECTION TO THE ABSTRACT

The Abstract stands objected to because it contains an ostensibly unnecessary word “and” in line 3. (See 10/7/08 Office Action, p. 3.) In view of the Amendment to the Abstract, it is respectfully submitted that this objection should be withdrawn.

IV. OBJECTION TO THE SPECIFICATION

The Amendment to the Specification filed December 17, 2007, stands objected to under 35 U.S.C. § 132(a) as introducing new matter into the disclosure. (See 10/7/08 Office Action, p. 4.) Specifically, the Examiner asserts that the new paragraphs added after page 2, line 32, and found on page 2 of the prior amendment, and the replacement paragraph for the paragraph beginning at page 4, line 19, and found on page 3 of the prior amendment, contain new matter. (See id., p. 4.)

The original specification states “[t]hough the shaving aid retaining means described above and shown in FIGS. 4 and 5 do comprise a number of circular concentric ridges, it will be

understood that any type of profile which prevents additive from flowing straight and unimpeded to the hair trapping apertures may be used. For example, a *star-shaped flower-shaped*, or *spiral-shaped pattern of ridges*, or a *pattern of dimples* as on a golf ball or similar surface patterns may be used. Furthermore, the decoration cap may have a low friction surface.” (Specification p. 4, ll. 19-24.)

The new paragraph added after page 2, line 32 and found on page 2 of the subject amendment recites “FIG. 9 illustrates a shaving aid retention means comprising a *spiral-shaped pattern of ridges*. FIG. 10 illustrates a shaving aid retention means comprising a *star-shaped pattern of ridges*. FIG. 11 illustrates a shaving aid retention means comprising a *flower-shaped pattern of ridges*. FIG. 12 illustrates a shaving aid retention means comprising a *pattern of dimples*.” (See 12/17/2007 Amendment, p. 2.) The replacement paragraph for the paragraph beginning at page 4, line 19 of the specification and found on page 3 of the subject amendment recites “though the shaving aid retaining means described above and shown in Figs. 4 and 5 do comprise a number of circular concentric ridges, it will be understood that any type of profile which prevents additive from flowing straight and unimpeded to the hair trapping apertures may be used. For example, a *star-shaped pattern of ridges* (see, e.g., FIG. 10), a *flower-shaped pattern of ridges* (see, e.g., FIG. 11), or *spiral-shaped pattern of ridges* (see, e.g., FIG. 9), or a *pattern of dimples* as on a golf ball (see, e.g., FIG. 12) or similar surface patterns may be used.” (See id., p. 3.)

The Applicants respectfully submit that the new paragraph added after page 2, line 32 and found on page 2 of the subject amendment and the replacement paragraph for the paragraph beginning at page 4, line 19 of the specification and found on page 3 of the subject amendment do not constitute new matter since the description was disclosed in the original specification. Thus, the objection under 35 U.S.C. § 132(a) should be withdrawn.

V. OBJECTION TO THE CLAIMS

Claims 1-5 and 13 stand objected to for grammatical informalities. (See 10/7/08 Office Action, p. 4.) Non-elected claim 36 stands objected to as dependent on canceled claim 17. (See id., p. 4.) In view of the amendment to claim 1 and the cancellation of claim 36, it is respectfully submitted that these objection should be withdrawn.

VI. CLAIM REJECTIONS – 35 U.S.C. § 102(b)

Claims 1-3 and 13 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pub. App. No. 2003/0019107 to Visman et al. (hereinafter “Visman”). (See 10/7/08 Office Action, pp. 4-6.)

Claim 1 recites a “[s]having apparatus having a skin contact surface accommodating at least one cutting unit that comprises an external cutting member, a matching internal cutting member, and a device for providing a shaving aid additive to said skin contact surface, characterized by shaving aid additive retaining means provided on at least part of said skin contact surface, wherein the shaving aid additive is one of a liquid, a gel, a foam, a cream, and a water-soluble hard material.”

Visman describes a shaving apparatus having at least one pivotable cutting unit comprising an external cutting member and an internal cutting member which is drivable relative to said external cutting member. (See Visman, Abstract.) Visman further describes a coupling member having a coupling head and a coupling body, the coupling head can be coupled to a coupling element of the internal cutting member. (See id.) For driving said internal cutting member into rotation, the coupling head comprises curved surfaces for cooperation with surfaces of said cavity. (See id.)

The Examiner asserts that the limitation “a device for providing a shaving aid additive to said skin contact surface” is shown in Visman, Fig. 2. (See 10/7/08 Office Action, p. 5.) Specifically, the Examiner cites “the component shown directly below numerals 11, 12 as viewed in Fig. 2.” (Id.) Figure 2 of Visman shows a cutting unit on an enlarged scale and the components directly below numerals 11 and 12 are 16, 17, 21, 28, 30 and 32. Numeral 16 refers

to a coupling element that is fastened to the annular plate. (See Visman col. 3, ll. 33-34.) Numeral 17 refers to a bearing brush in which the bearing shaft 11 of the external cutting member is journaled. (See *id.*, col. 3, ll. 35-36.) Numeral 21 refers to a cavity in which the coupling head can be accommodated. (See *id.*, col. 3, ll. 39-41.) Numeral 28 refers to drive surfaces of the coupling head. (See *id.*, col. 4, ll. 14-15.) Numeral 30 refers to an axial bearing surface of the coupling element. (See *id.*, col. 4, ll. 23.) Numeral 32 refers to sloping inlet surfaces which facilitate the introduction of the coupling head into the cavity when the holder with the cutting unit is placed on the housing. (See *id.*, col. 4, ll. 42-45.) None of the above mentioned numerals in Visman teach or suggest “a device for providing a shaving aid additive to said skin contact surface, characterized by shaving aid additive retaining means provided on at least part of said skin contact surface, wherein the shaving aid additive is one of a liquid, a gel, a foam, a cream, a water-soluble hard material,” as recited in claim 1.

In addressing the Applicants’ prior argument, the Examiner asserts that “Applicant primarily directs arguments to the limitation “shaving aid” and suggests that the Examiner is misinterpreting this limitation. However, it is respectfully submitted that in the present claims, a shaving aid per se is not positively set forth as part of the claimed invention and therefore is not required to meet the claims.” (10/7/08 Office Action, p. 8.) While the Examiner is correct that a shaving aid per se is not set forth in the claimed invention, “a device for providing a shaving aid additive to said skin contact surface” is recited in claim 1. Visman describes no such device. Therefore, the Applicants maintain their previous argument and respectfully submit that this rejection should be withdrawn. Because claims 2, 3 and 13 depend from, and, therefore, include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable for at least the foregoing reasons.

Claims 1-5 and 13 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pub. App. No. 2002/0083591 to Geertsma et al. (hereinafter “Geertsma”). (See 10/7/08 Office Action, pp. 6-7.)

Geertsma describes a shaving apparatus with an external cutting member and an internal cutting member which can be driven into rotation relative thereto, said external cutting member

having an annular region with hair-trapping apertures and a skin support region inside the annular region. (See Geertsma, Abstract.) To improve the shaving performance, the skin support area is provided with ridges. (See id.)

The Examiner asserts that “a device for providing a shaving aid to said skin contacting surface, characterized by shaving aid retaining means provided on at least part of said skin contact surface,” is taught in Fig. 2 (e.g., 9, 10) of Geertsma. (See 10/7/08 Office Action, p. 6.) Figures 2 and 3 show the external cutting member on an enlarged scale. (See Geertsma, col. 2, ll. 3-4.) Numeral 9 refers to a decorative cover which serves as a skin support surface and numeral 10 refers to a number of ridges on the decorative cover. (See id., col. 2, ll. 6-8.) However, neither numeral 9 or 10 describes “a device for providing a shaving aid additive to said skin contact surface, characterized by shaving aid additive retaining means provided on at least part of said skin contact surface, wherein the shaving aid additive is one of a liquid, a gel, a foam, a cream, a water-soluble hard material,” as recited in claim 1.

In addressing the Applicants’ prior argument, the Examiner asserts, as above with reference to Visman, that “Applicant primarily directs arguments to the limitation “shaving aid” and suggests that the Examiner is misinterpreting this limitation. However, it is respectfully submitted that in the present claims, a shaving aid per se is not positively set forth as part of the claimed invention and therefore is not required to meet the claims.” (10/7/08 Office Action, p. 8.) While the Examiner is correct that a shaving aid per se is not set forth in the claimed invention, “a device for providing a shaving aid additive to said skin contact surface” is recited in claim 1. Geertsma describes no such device. Therefore, the Applicants maintain their previous argument and respectfully submit that this rejection should be withdrawn. Because claims 2-5 and 13 depend from, and, therefore, include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable for at least the foregoing reasons.

CONCLUSION

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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